

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Ronald J. Allison,

Plaintiff

v.

Office of the Public Defender, Las Vegas,
NV,

Defendant.

Case No. 2:22-cv-01061-JAD-DJA

ORDER

I. DISCUSSION

On July 6, 2022, Plaintiff, an inmate in the custody of the Clark County Detention Center submitted a complaint. (ECF No. 1-1). Plaintiff has not filed an application to proceed *in forma pauperis* in this matter or submitted a filing fee.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

The Court will grant Plaintiff a **one-time** opportunity to file a complaint and a fully complete application to proceed *in forma pauperis* containing all three of the required

documents, or in the alternative, pay the full \$402 filing fee for this action on or before **August 8, 2022**. Absent unusual circumstances, the Court will not grant any further extensions of time. If Plaintiff is unable to file a complaint and a fully complete application to proceed *in forma pauperis* with all three required documents or pay the full \$402 filing fee on or before **August 8, 2022**, the Court will dismiss this case without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to file a complaint and able to acquire all three of the documents needed to file a fully complete application to proceed *in forma pauperis* or pay the full \$402 filing fee. To clarify, a dismissal without prejudice means Plaintiff does not give up the right to refile the case with the Court, under a new case number, when Plaintiff is able to file a complaint and has all three documents needed to submit with an application to proceed *in forma pauperis*. Alternatively, Plaintiff may choose not to file an application to proceed *in forma pauperis* and instead pay the full filing fee of \$402 on or before **August 8, 2022** to proceed with this case.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send Plaintiff the approved form application to proceed *in forma pauperis* by an inmate, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that on or before **August 8, 2022**, Plaintiff will either pay the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52 administrative fee) or file with the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page 3),
- (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and
- (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

1 IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint and a fully
2 complete application to proceed *in forma pauperis* with all three documents or pay the full
3 \$402 filing fee for a civil action on or before **August 8, 2022**, the Court will recommend
4 that this action be dismissed without prejudice.
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6 DATED: July 7, 2022.

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9 DANIEL J. ALBRECHTS
10 UNITED STATES MAGISTRATE JUDGE
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